

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

UNITED STATES OF AMERICA,	)	CASE NO. 1:21-cr-466-3
	)	
PLAINTIFF,	)	JUDGE SARA LIOI
	)	
vs.	)	
	)	ORDER
TYVIONE GUTHERY,	)	
	)	
	)	
DEFENDANT.	)	

This matter is before the Court upon Magistrate Judge William H. Baughman, Jr. Report and Recommendation that the Court ACCEPT the plea of guilty of defendant Tyvione Guthery and enter a finding of guilty against defendant. (Doc. No. 65.)

On June 10, 2021, the government filed an Indictment against defendant. (Doc. No. 13.) On March 4, 2022, this Court issued an order assigning this case to Magistrate Judge Baughman for the purpose of receiving defendant's guilty plea. (Doc. No. 60.)

On March 14, 2022, a hearing was held in which defendant entered a plea of guilty to Count 1 of the Indictment, charging him with Conspiracy to Commit Access Device Fraud, in violation of 18 U.S.C. Section 1029(b)(2). Magistrate Judge Baughman received defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and enter a finding of guilty. (Doc. No. 65.)

Neither party objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED.

Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the defendant's plea of guilty is APPROVED.

Therefore, the defendant is adjudged guilty of Count 1. The sentencing will be held on July 29, 2022 at 10:00 a.m.

**IT IS SO ORDERED.**

Dated: July 18, 2022

  
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**HONORABLE SARA LIOI**  
**UNITED STATES DISTRICT JUDGE**